

IP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-434-A)

In the Application of:)
Sarah S. Bacus et al.) Examiner: Holleran, Anne L
Serial No. 10/600,129)
Filed: June 19, 2003) Group Art Unit: 1643
For: Method for Predicting Response to Epidermal) Confirmation No.: 9778
Growth Factor Receptor-Directed Therapy)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

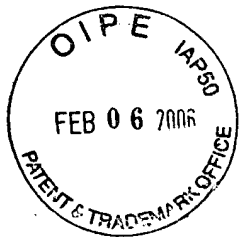
In regard to the above identified application,

1. We are transmitting herewith the attached:
☒ Supplemental Information Disclosure Statement;
☒ International Search Report from corresponding PCT application;
☒ Form PTO-1449 including (11 cited references); and
☒ Return Postcard
2. Applicants believe that no fees are due at this time.
3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** I hereby certify that I directed that this Transmittal Letter and the correspondence identified above be deposited with the United States Postal Service as "First Class Mail," addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Respectfully submitted,

Date: February 1, 2006

Andrew W. Williams
Registration No. 48,644



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make all references listed in the PTO-1449 form enclosed herewith of record in the above-identified application. It is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

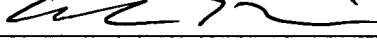
Also, enclosed is a copy of the International Search Report in which the references listed on the enclosed 1449 were cited during the prosecution of a corresponding application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: Feb. 1, 2006

By: 
Andrew W. Williams
Registration No.: 48,644

FORM PTO-1449

PTO/SB/08a (07-05)

Approved for use through 07/31/06. OMB 0651-0031

**U.S. Department of Commerce
U.S. Patent and Trademark Office****INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.

02-434-A

Serial No.

10/600,129

Filing Date:

06-19-2003

Group:

1643

Applicant: Sarah S. Bacus et al.**Examiner:**

Anne L. Holleran

Confirmation No:

9778

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)			
	1.	5.726.023	03-10-1998	CHEEVER, et al.	
	2.	5,763,164	06-09-1998	CALENOFF	
	3.	5,869,445	02-09-1999	CHEEVER, et al.	
	4.	6,127,126	10-03-2000	VOGELSTEIN, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (If known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initial	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	5.	CIARDIELLO, et al., "A Novel Approach in the Treatment of Cancer: Targeting the Epidermal Growth Factor Receptor", Clinical Cancer Research 7:2958-2970, 2001.	
	6.	Database USPT 5726023.	
	7.	Database USPT 5763164.	

EXAMINER**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO) Standard St.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document, by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. **NON PATENT LITERATURE:** 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.

FORM PTO-1449

PTO/SB/08a (07-05)

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U.S. Patent and Trademark Office**Atty. Docket No.**

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Anne L. Holleran

Confirmation No:

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NON PATENT LITERATURE DOCUMENTS

Examiner Initial	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article(when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	8.	Database USPT 5869445.	
	9.	Database USPT 6127126.	
	10.	SHIN, et al., "Epidermal Growth Factor Receptor-targeted Therapy with C225 and Cisplatin in Patients with Head and Neck Cancer", Clinical Cancer Research 7:1204-1213, 2001	
	11.	SOUKOS, et al., "Epidermal Growth Factor Receptor-targeted Immunophotodiagnosis and Photoimmunotherapy of Oral Precancer in Vivo", Cancer Research 61:4490-4496, 2001.	

EXAMINER**DATE CONSIDERED**

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